

## Agricultural Marketing Service, USDA

## § 1209.11

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AUTHORITY: 7 U.S.C. 6101–6112 and 7 U.S.C. 7401.

SOURCE: 57 FR 31951, July 20, 1992, unless otherwise noted.

### Subpart A—Mushroom Promotion, Research, and Consumer Information Order

SOURCE: 58 FR 3449, Jan. 8, 1993, unless otherwise noted.

### DEFINITIONS

#### § 1209.1 Act.

*Act* means the Mushroom Promotion, Research, and Consumer Information Act of 1990, subtitle B of title XIX of the Food, Agriculture, Conservation, and Trade Act of 1990, Pub. L. 101–624, 7 U.S.C. 6101–6112, and any amendments thereto.

#### § 1209.2 Commerce.

*Commerce* means interstate, foreign, or intrastate commerce.

#### § 1209.3 Consumer information.

*Consumer information* means information and programs that will assist consumers and other persons in making evaluations and decisions regarding the purchase, preparation, and use of mushrooms.

#### § 1209.4 Council.

*Council* means the administrative body referred to as the Mushroom Council established under § 1209.30 of this subpart.

#### § 1209.5 Department.

*Department* means the United States Department of Agriculture.

#### § 1209.6 First handler.

*First handler* means any person who receives or otherwise acquires mushrooms from a producer and prepares for marketing or markets such mushrooms, or who prepares for marketing or markets mushrooms of that person's own production.

#### § 1209.7 Fiscal year.

*Fiscal year* means the 12-month period from January 1 to December 31 each year, or such other period as recommended by the Council and approved by the Secretary.

#### § 1209.8 Importer.

*Importer* means any person who imports, on average, over 500,000 pounds of mushrooms annually from outside the United States.

#### § 1209.9 Industry information.

*Industry information* means information and programs that will lead to the development of new markets and marketing strategies, increased efficiency, and activities to enhance the image of the mushroom industry.

#### § 1209.10 Marketing.

(a) *Marketing* means the sale or other disposition of mushrooms in any channel of commerce.

(b) *To market* means to sell or otherwise dispose of mushrooms in any channel of commerce.

#### § 1209.11 Mushrooms.

*Mushrooms* means all varieties of cultivated mushrooms grown within the United States and marketed for the fresh market, or imported into the United States and marketed for the fresh market, except such term shall not include mushrooms that are commercially marinated, canned, frozen, cooked, blanched, dried, packaged in